

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b),  
37 CFR 1.155(c), OR 37 CFR 1.316(c)**

Docket Number (Optional)

First named inventor: Krishna Parat, et al.

Application No.: 09/865,006

Group Art Unit: 2815

Filed: May 23, 2001

Examiner: Jose R. Diaz

Title: **METHOD OF FABRICATION OF A NOVEL FLASH INTEGRATED CIRCUIT**

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed December 6, 2001, which set a 3 month period for response. The abandonment date of this application is June 7, 2002 (i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefore).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proposed response and/or issue fee
- (3) Verified statement that the abandonment was unintentional

1. Petition fee

- ☐ Small-entity fee \$ \_\_\_\_\_ (37 CFR 1.17(m))  
☐ Small-entity statement enclosed herewith.  
☐ Small-entity statement previously filed.  
☒ Other than small-entity fee \$1,240.00 (37 CFR 1.17(m)).

2. Proposed response and/or fee

A. The proposed response and/or fee to the above-noted Office action in the form of Response to outstanding Office Action:

☐ has been filed previously on \_\_\_\_.  
☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

☐ has been paid previously on \_\_\_\_.  
☐ is enclosed herewith.

Burden Hour Statement: This form is estimated to take 1 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, Patent and Trademark Office, Washington, D. C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

07/17/2002 AKELLEY 00000018 09865006

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1280.00 OP

Page 1 of 2

3. Verified statement

The entire delay in filing the required reply from the due date from the reply until the filing of a grantable petition pursuant to this paragraph was unintentional.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

July 8, 2002  
Date

  
Signature

Telephone  
Number: (503) 684-6200

Michael A. Proksch Reg. No. 43,021  
Typed or printed name

12400 Wilshire Blvd, 7<sup>th</sup> Floor  
Address

Los Angeles, CA 90025-1026

Enclosures: [XXX] Response

[ ] Fee Payment

[ ] Small Entity Status Form

[ ] \_\_\_\_\_

By completing the Certificate of Mailing, below, the date mailed will be considered the date this correspondence is filed.

**CERTIFICATE OF MAILING [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Box DAC, Washington D. C. 20231.

July 8, 2002  
Date

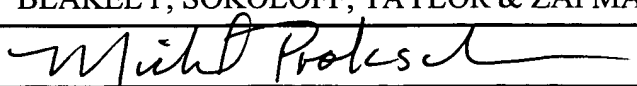
  
Signature

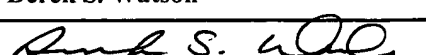
Derek S. Watson  
Typed or printed name of person signing Certificate

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|  |    |                        |               |
|--|----|------------------------|---------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |    | Application No.        | 09/865,006    |
|  |    | Filing Date            | May 23, 2001  |
|  |    | First Named Inventor   | Krishna Parat |
|  |    | Group Art Unit         | 2815          |
|  |    | Examiner Name          | Jose R. Diaz  |
| Total Number of Pages in This Submission   | 19 | Attorney Docket Number | 42390P7462D   |

| ENCLOSURES <i>(check all that apply)</i>   |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input checked="" type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment / Response<br><div style="margin-left: 20px;"> <input type="checkbox"/> After Final<br/> <input type="checkbox"/> Affidavits/declaration(s)         </div> <input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers <i>(for an Application)</i><br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i><br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i><br><div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         - Check in the amount of \$1280.00<br/>         - Petition to Revive Application - Unintentional Abandonment       </div> |
| Remarks<br>- Return Postcard   |   | <div style="font-size: 1.5em; font-weight: bold;">RECEIVED</div><br><div style="font-size: 1.2em;">JUL 17 2002</div><br><div style="font-weight: bold;">OFFICE OF PETITIONS</div>  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Michael A. Proksch, Reg. No. 43,021<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP        |
| Signature                                  |  |
| Date                                       | July 8, 2002   |

| CERTIFICATE OF MAILING/TRANSMISSION  |   |      |              |
|--|---|------|--------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: <span style="float: right;">July 8, 2002</span> |   |      |              |
| Typed or printed name  | Derek S. Watson   |      |              |
| Signature  |  | Date | July 8, 2002 |

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 1,280.00

## Complete if Known

Application Number 09/865,006  
Filing Date May 23, 2001  
First Named Inventor Krishna Parat  
Examiner Name Jose R. Diaz  
Group/Art Unit 2815  
Attorney Docket No. 42390P7462D

## METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 740      | 201          | 370      | Utility filing fee     |          |
| 106          | 330      | 206          | 165      | Design filing fee      |          |
| 107          | 510      | 207          | 255      | Plant filing fee       |          |
| 108          | 740      | 208          | 370      | Reissue filing fee     |          |
| 114          | 160      | 214          | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

### 2. EXTRA CLAIM FEES

Total Claims  \* =  X  =   
Independent Claims  \* =  X  =   
Multiple Dependent  \* =  X  =

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |          |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                    |          |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3                         |          |
| 104          | 280      | 204          | 140      | Multiple Dependent claim, if not paid                     |          |
| 109          | 84       | 209          | 42       | **Reissue independent claims over original patent         |          |
| 110          | 18       | 210          | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |   | (\$)     |

\*\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity              |          | Small Entity |          | Fee Description  | Fee Paid      |
|---------------------------|----------|--------------|----------|--|---------------|
| Fee Code                  | Fee (\$) | Fee Code     | Fee (\$) |  |               |
| 105                       | 130      | 205          | 65       | Surcharge - late filing fee or oath  |               |
| 127                       | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |               |
| 139                       | 130      | 139          | 130      | Non-English specification  |               |
| 147                       | 2,520    | 147          | 2,520    | For filing a request for ex parte reexamination                            |               |
| 112                       | 920 *    | 112          | 920 *    | Requesting publication of SIR prior to Examiner action                     |               |
| 113                       | 1,840 *  | 113          | 1,840 *  | Requesting publication of SIR after Examiner action                        |               |
| 115                       | 110      | 215          | 55       | Extension for reply within first month                                     |               |
| 116                       | 400      | 216          | 200      | Extension for reply within second month                                    |               |
| 117                       | 920      | 217          | 460      | Extension for reply within third month                                     |               |
| 118                       | 1,440    | 218          | 720      | Extension for reply within fourth month                                    |               |
| 128                       | 1,960    | 228          | 980      | Extension for reply within fifth month                                     |               |
| 119                       | 320      | 219          | 160      | Notice of Appeal   |               |
| 120                       | 320      | 220          | 160      | Filing a brief in support of an appeal                                     |               |
| 121                       | 280      | 221          | 140      | Request for oral hearing   |               |
| 138                       | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |               |
| 140                       | 110      | 240          | 55       | Petition to revive - unavoidable   |               |
| 141                       | 1,280    | 241          | 640      | Petition to revive - unintentional   | 1,280.00      |
| 142                       | 1,280    | 242          | 640      | Utility issue fee (or reissue)   |               |
| 143                       | 460      | 243          | 230      | Design issue fee   |               |
| 144                       | 620      | 244          | 310      | Plant issue fee  |               |
| 122                       | 130      | 122          | 130      | Petitions to the Commissioner  |               |
| 123                       | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |               |
| 126                       | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |               |
| 581                       | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |               |
| 146                       | 740      | 246          | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |               |
| 149                       | 740      | 249          | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |               |
| 179                       | 740      | 279          | 370      | Request for Continued Examination (RCE)                                    |               |
| 169                       | 900      | 169          | 900      | Request for expedited examination of a design application                  |               |
| Other fee (specify) _____ |          |              |          |  |               |
| SUBTOTAL (3)              |          |              |          |  | (\$) 1,280.00 |

\*Reduced by Basic Filing Fee Paid

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## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type) Michael A. Proksch Registration No. 43,021 Telephone (503) 684-6200  
Signature *Michael Proksch* Date 07/08/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

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